

DEPARTMENT OF THE NAVY  
Office of the Secretary  
Washington DC 20350

SECNAVINST 1050.5C  
Pers-202C  
13 September 1995

SECNAV INSTRUCTION 1050.5C

From: Secretary of the Navy  
To: All Ships and Stations

Subj: ACCRUED LEAVE IN EXCESS OF  
60 DAYS

Ref: (a) 10 U.S.C. 701  
(b) DOD Directive 1327.5 of 24 Sep 85  
(NOTAL)  
(c) 37 U.S.C. 501

1. **Purpose.** To revise regulations governing the accrual of leave in excess of 60 days for members in other than a missing status. This instruction is a complete revision and should be read in its entirety.

2. **Cancellation.** SECNAVINST 1050.5B.

3. **Applicability.** The provisions of this instruction are applicable to all active duty members of the Navy and Marine Corps on and after 1 October 1994.

4. **Background.** References (a) and (b) provide for special leave accrual which permits the carryover of up to 90 days earned leave under uniform regulations prescribed by the Secretary of the Navy for members who: (1) serve on active duty for a continuous period of at least 120 days after January 1 1968, in an area in which they are entitled to Special Pay for Duty Subject to Hostile Fire or Imminent Danger; (2) after September 30, 1979, are assigned to a deployable ship, mobile unit or similar prescribed duty, when operational mission requirements prohibit normal leave utilization. Special leave accrual for members in a missing status is governed by the provisions of subsection (g) of reference (a).

5. **Eligibility Criteria.** It is Department of the Navy policy to authorize members to accrue up to 90 days earned leave when assigned to duty under any of the following circumstances:

a. Hostile Fire or Imminent Danger Area.

When on active duty for a continuous period of at least 120 days in an area in which they are continuously entitled to Hostile Fire or Imminent Danger Pay.

b. Deployable Ship or Mobile Unit. When serving in a deployable ship or mobile unit, including Fleet Marine Force units or similar duty which, because of operational mission requirements, deploys or operates away from its designated homeport or home base for a continuous period of at least 60 days, thus preventing normal use of earned leave before it is lost at the end of the fiscal year. Personnel assigned to a ship or unit, as described in this subparagraph, but serving less than 60 consecutive days away from homeport or home base are not eligible.

c. Deployable Ship or Mobile Unit Homeported or Home Based Overseas. When serving in a deployable ship or mobile unit, including Fleet Marine Force units or similar duty, permanently homeported or home based outside of the 50 United States, which is required to maintain a higher than normal condition of readiness in port or at home base and has deployed or operated away from homeport or home base more than 50 percent of the time, thus preventing normal use of earned leave before it is lost at the end of the fiscal year. Personnel assigned to a ship or unit, as described in this subparagraph, but assigned for less than 6 months of the fiscal year are not eligible.

d. Other Duty. When serving on other prescribed duty, normally for a continuous period of 60 days or more during the fiscal year. The situation preventing service members assigned to such duty from using leave must have been caused by unscheduled operational commitment, national emergency/crisis or operations in defense of national security. Furthermore, the duty should preclude service members from taking leave to reduce their leave balance to 60 days before the

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end of the fiscal year. The provisions of this authority may be extended for members assigned to unit, headquarters and supporting staffs when they are prohibited from taking leave because of their involvement to support a designated contingency operation.

e. Joint Service. For members serving in joint organizations, determination of eligibility shall be made by the joint organization in which the member is serving, as authorized by reference (b).

f. Personnel who will not lose leave at the end of the fiscal year in which the qualifying period terminates are not affected by this entitlement regardless of the number of days served on a qualifying assignment.

**6. Verification Procedures**

a. Personnel who believe they are eligible should declare their eligibility to their commanding officer/officer in charge.

b. Commanding officers/officers in charge are responsible for:

(1) Ensuring personnel under their command are informed of this entitlement.

(2) Ensuring an appropriate service record entry is made for unit deployment dates of departure and arrival for qualifying assignments as described in paragraph 5.

(3) Verifying member's eligibility by service record review. In the absence of adequate documentation, an individual signed sworn statement based on the eligibility criteria in paragraph 5 is acceptable.

**7. Limitations**

a. Special leave accrual shall not be used to authorize accumulation of leave in excess of 60 days for personnel who do not manage their leave properly. Members are expected to take advantage of authorized leave periods and use leave authorized incident to permanent changes of duty. Leave balances that would have been lost at the

end of the fiscal year regardless of whether the member was assigned to prescribed duty will not be carried over.

b. Special leave accrual under subparagraphs 5a, 5b, or 5d, is creditable in the fiscal year in which the required continuous period of duty is reached; but the qualifying duty need not have commenced in that fiscal year.

c. For members assigned to units permanently homeported or home based outside of the 50 United States as described in subparagraph 5c, special leave accrual is creditable only in a fiscal year during which the member was assigned for at least 6 months.

d. Leave accrued in excess of 60 days is lost if it is not used before the end of the third fiscal year following the fiscal year in which the qualifying duty (i.e., deployment) is terminated.

e. Reference (a) provides special leave accrual because of reduced leave taking opportunity caused by operational commitments. Consequently, special leave accrual does not apply to individual cases of leave lost due to hospitalization or permanent change of station order modifications.

f. Separation payments for unused accrued leave are limited to 60 days during a military career by reference (c).

g. Disbursing and administrative procedures are contained in the DFAS Pay/Personnel Procedures Manual (Navy) Volume 2, Part A, and Marine Corps Order P1050.3 (Regulations for Leave, Liberty and Administrative Absence) and Marine Corps Order P7220.31 (Automated Pay Systems Manual).

h. Requests for special leave accrual shall be submitted via the chain of command to the approving authority no later than the end of the first quarter of the following fiscal year for which the member is requesting special leave accrual. (Example: A request for fiscal year 1995 special leave accrual must have been submitted to the approving authority by 31 December 1995.)

**8. Approving Authority**

a. Commanding officers are delegated authority to grant special leave accrual to members eligible under subparagraphs 5a through 5c.

b. Approval authority for special leave accrual under subparagraph 5d is extended to the major command level (Navy Fleet Commanders (Atlantic Fleet, Pacific Fleet, Naval Forces Europe)/Marine Forces Atlantic or Pacific/Marine Forces Reserves, New Orleans/Joint Unified Commanders).

c. Special leave accrual requests, under subparagraph 5d, for major command staff members (as identified in subparagraph 8b, including headquarters) shall be submitted, via the chain of command, to the headquarters level (CNO (Pers-20)/CMC (MPP-58)).

BERNARD ROSTKER  
Assistant Secretary of the Navy  
(Manpower and Reserve Affairs)

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